



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

DANIEL P. MCCARTHY, ESQ.
PARSONS BEHLE & LATIMER
SUITE 1800
201 SOUTH MAIN STREET
SALT LAKE CITY, UT 84111

COPY MAILED

JUL 21 2004

In re Application of
Pope, et al.
Application No. 10/643,806
Filed: August 18, 2003
Attorney Docket No.
05261.058/6069.2P

OFFICE OF PETITIONS

ON PETITION

This is a decision on papers styled "Second Petition for Filing Date" filed on June 30, 2004, which is being treated as a renewed petition under 37 CFR 1.53, requesting that the above-identified application be accorded a filing date of August 18, 2003, including Figures 2R-1, 2R-2, 2S-1, 2S-2, 2T-1, 2T-2, 3AB, 4A-D, 5A-G, 6A-1, 6A-2, 6B-1, 6B-2, 7AB, 8AB and 9-13, as described in the specification.

The application was filed on April 18, 2003. However, on February 3, 2004, the Office of Initial Patent Examination (OIPE) mailed a "Notice Of Omitted Item(s)" (Notice) that stated the application had been accorded a filing date, but Figures 2R-1, 2R-2, 2S-1, 2S-2, 2T-1, 2T-2, 3AB, 4A-D, 5A-G, 6A-1, 6A-2, 6B-1, 6B-2, 7AB, 8AB and 9-13, as described in the specification appear to have been omitted.

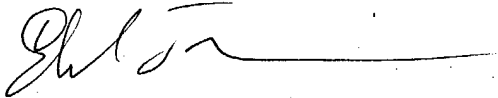
The instant renewed petition and thirty (30) sheets of drawings that contain Figures 2R-1, 2R-2, 2S-1, 2S-2, 2T-1, 2T-2, 3AB, 4A-D, 5A-G, 6A-1, 6A-2, 6B-1, 6B-2, 7AB, 8AB and 9-13, as described in the specification, were submitted on June 30, 2004. The papers were accompanied by a copy of applicant's postcard receipt that acknowledges receipt of thirty (30) sheets of drawings on August 18, 2003. A review of the application file indicates the presence of eight (8) sheets of drawings (filed August 18, 2003). It is assumed that the missing sheets of drawings containing Figures 2R-1, 2R-2, 2S-1, 2S-2, 2T-1, 2T-2, 3AB, 4A-D, 5A-G, 6A-1, 6A-2, 6B-1, 6B-2, 7AB, 8AB and 9-13, as described in the specification, were misplaced by the Office.

In view of the above, the petition is granted.

The \$130.00 petition fee will be refunded to deposit account no. 50-0581.

This application will be returned to OIPE for further processing with a filing date of August 18, 2003, using the additional sheets of drawings, which include Figures 2R-1, 2R-2, 2S-1, 2S-2, 2T-1, 2T-2, 3AB, 4A-D, 5A-G, 6A-1, 6A-2, 6B-1, 6B-2, 7AB, 8AB and 9-13, as described in the specification, supplied on June 30, 2004.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 306-9200.



Edward J. Tannouse
Petitions Attorney
Office of Petitions
United States Patent and Trademark Office